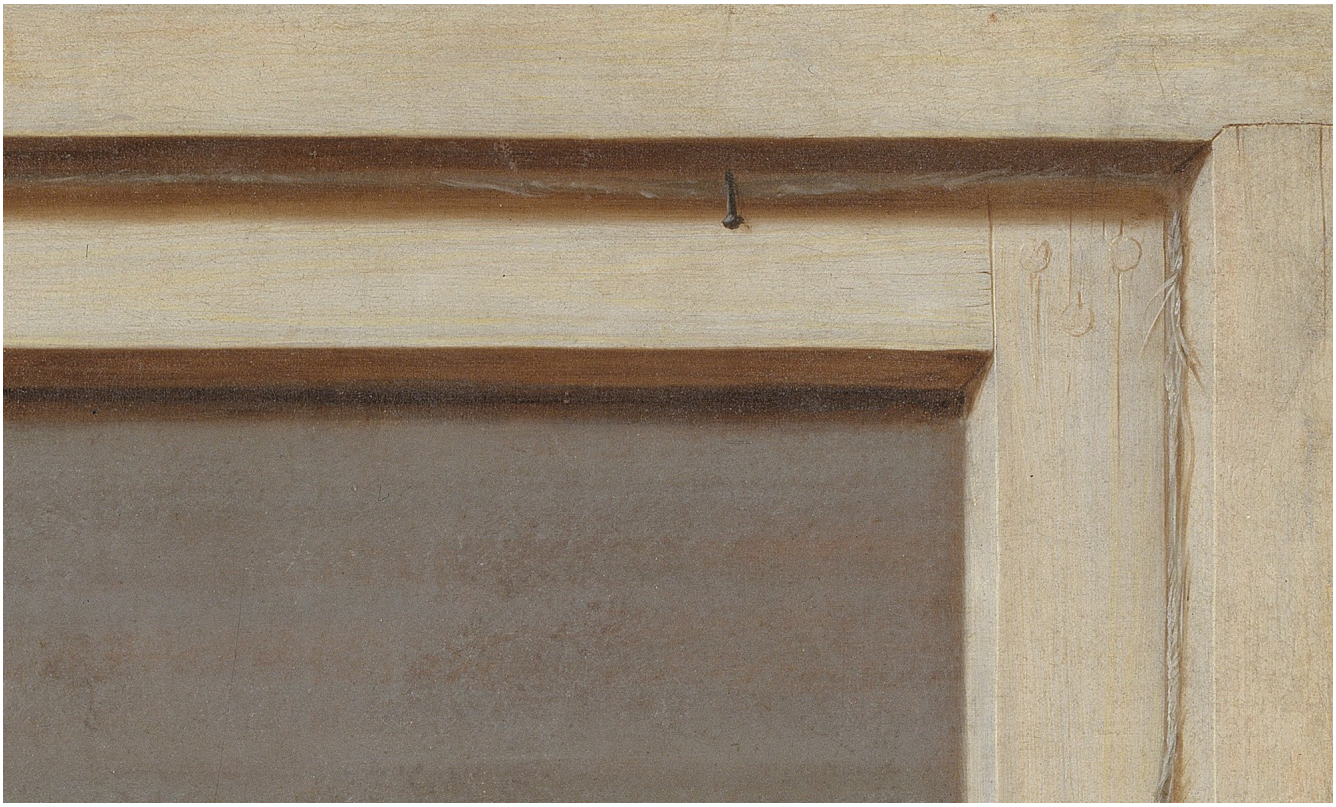
Moral *theory* theory: a metaethical frame for moral theories



Cornelius Norbertu Gijsbrecht, *Trompe l'oeil (1670) – The Reverse of a Framed Painting* (detail)

A moral theory attempts to give reasons why we ought to behave a certain way or a justification for why one moral principle or practice is better than another. There are a handful of such theories in the Western tradition and there are reasons to believe that a similar set can be found outside that tradition. There aren't that many distinct *and* widely-held moral theories out there. They could be counted on the fingers of one hand with a finger or two amputated. The list is remarkably small given the diversity of human kind.[1]

In the West, these[2] are often cited and listed[3] as:

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1. Most people want to live and live well. As finite and biologically sentient, they are vulnerable to these desires being frustrated. Humans have in common an evolved biology and psychology optimized to contend with the same range of environmental conditions, more or less – on the same planet. The evident diversity means there is more than one way to navigate among these background conditions. Many cultures form from this diversity. Yet moral theories are not as diverse as other cultural artifacts, suggesting they are more deeply rooted in the most basic aspects of being human. Similar subjection to pain and pleasure, to a psychological need for social validation, to pragmatic requirements to cooperate, and built-in evolutionary impulses to domesticate and be domesticated likely *constrain* the menu of moral theorizing. Random violence is frowned upon by every moral theory.
2. Unlike the listed theories, which only implicate biological or cultural artifacts, Divine Command theory, the idea that right and wrong are sourced from "on high" (heterocosmically), involves more complex ontology. I leave it out of this discussion because arguing the ontology adds another layer of complexity, not, I think, necessary for the conclusions here. We don't need to take a stand on the existence of supernatural entities to make our point.
3. The theories listed have many variants. We focus on the core of the variants. Alternatively, we can view the list as describing *families* of theories.

1. Utilitarianism,
2. Kantianism,
3. Virtue theory, and
4. Moral sense theory

The *order* of the listing corresponds to the order in which they are typically introduced in "intro to ethics" college courses, and *not* meant to represent any other aspect of the theory.[4] The first two listed get the lion's share of attention. The third gets short shrift and the last one is often omitted entirely. We will have more to say about why this omission (we think unjustified) later. These incidental observations aside, we will make a number of provocative claims about the proper organization and relative status of these theories, centering on a distinction about *which* are theoretically fundamental and *which* are closer to being heuristics or rules of thumb – important to *practice*, but less so to *understanding* – and *why*. Moreover, our "moral theory" theory is going to insist these theories and their character are not arbitrary, or accidents of culture or history.[5] In the end, they are what they are and get the relative attention they do (or don't) because of something very basic about our species: we are dioecious. Along with most higher animals, we are divided by sex. There are only two distinct categories of humans – *not* one and *not* three or more – *exactly* two. Female and male.[6]

S&M – sex and morality

Gender is the single best predictor of criminal behavior: men commit more crime, and women commit less. This distinction holds throughout history, for all societies, for all groups, and for nearly every crime category. The universality of this fact is really quite remarkable, even though many tend to take it for granted.

– Darrell Steffensmeier and Emilie Allan, "Gender and Crime."
Encyclopedia of Crime and Justice. Encyclopedia.com. 18 Apr. 2018

The ultimate claim is that these theories owe their character and usefulness to the fact that the moral intuitions behind them have been evolutionarily adaptive. Each of us, exhaustively characterized by degrees of female and male tendencies, must live with each other and ourselves. This is *not* a claim that it *should* be this way, or that it will *always* be this way, just that it *has* been this way. This is a *descriptive* claim that may be factually incorrect, but I will point to evidence for believing that it is correct. It is a theory of theories, a theory in *metaethics*; it is not a *normative* theory, a theory enjoining one style of behavior over another – as the four theories listed above, in fact, taken separately, are.

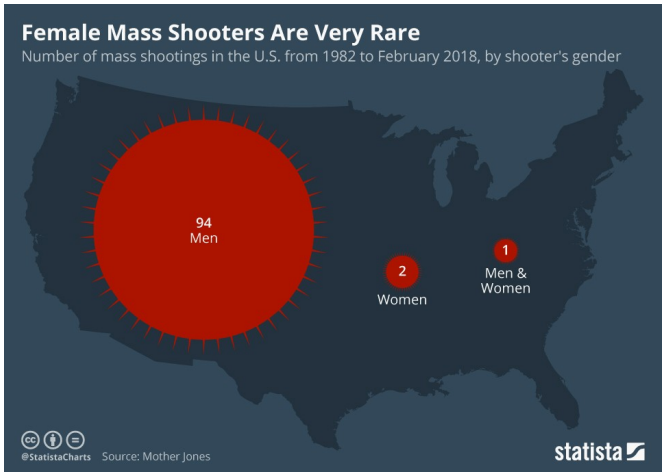
As with any theory in philosophy, this theory will need to be judged by how well it saves appearances,

4. The order may have more to do with the facility of explaining them (everyone, even children and animals, understands pain and pleasure while explaining Kant's awe in the presence of rational capability is sometimes a tall order), or the relative drama in confronting them (the first two on the list, especially, lend themselves to constructing attention-getting hypothetical emergencies – like trolley problems or ax murderers at the door). Virtue theory and moral sense theories have liabilities, too, but appear to unfold more slowly and require more real world experience to see (virtue in a corrupt community or what to do with the morally deficient through no clear fault of their own, e.g. the psychopath). These more down-to-earth worries contrast to the dilemmas, generated from their internal logic, that sometimes impale the first two listed rule-based theories.
5. Though, perhaps, accidents of biology.
6. I do not mean "gender." Gender is a social construction. The claim is that moral theories are *less* social constructions than we might think. Sex is *not* a social construction – at least not yet anyway. But that moral theories are partly social constructions implies they are at least partly *not*. See Appendix 2 below for more on this.

is internally consistent, and how well it lends coherence to the most salient aspects of human experience. If it appeals to esoteric observations for support, or if it leaves major obscurities in its wake, these will be fatal strikes against it... Leaving out, for now, the collective magnitude of petty but ubiquitous male intransigence or inconsideration, we remark the million pound gorilla in the room:

> *Why is moral and legal criminality a **male** pastime? Why are serial and mass murders almost always perpetrated by **males**? Why are most historic cases of material fraud, of theft on the grandest scale, done by **men**? Why is it wars are largely conceived, justified, planned and executed by **men**?*

Of course, women are fully *capable* of these things, but when they display it, the occasions are remarkable, attention-grabbing, and newsworthy. That's because these are the exceptions that prove the rule and the rule is: *males do crime like fish swim*. *Women don't.*[7] The evidence for male rule-breaking and risk-taking is overwhelming.[8] Managing male behavior is what the normative theories listed are about – especially the first two on the list, which goes a way toward explaining their prominence in discussions about morality. But this, by itself, does *not* explain their foundational character.



We are going to try to make the case that Kantianism comes closer to being foundational than utilitarianism, while the latter is more of a heuristic: perhaps more effective for enforcing moral behavior, especially at scale, but contributing less to its understanding. These rank as top theories in terms of the attention they get because they respond to peculiarly *masculine* exigencies and liabilities. Male behavior is manifestly more in need of moral discipline. But, between the two, Kantianism *explains more*;[9] this is what we mean by being more "foundational."

But Kantianism is not the only foundational theory. Moral sense theory is too. This fact is less often remarked for a reason. Moral sense theory, along with its variants – care ethics, communitarianism, etc. – are characteristically feminine and reflect a perspective on the world needing less severe strictures and principles to embody or shape behavioral performance than the more *rule-based* masculine

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7. It's hardly news when men do it. Newspapers likely have a template ready with the headline "MAN SHOOTS WIFE, CHILDREN, THEN SELF." It happens – and is worthy of a *custom* headline when a mother kills her offspring – just not often enough for boilerplate. When it does happen, it is commonly pathologized as dysfunction (e.g., postpartum depression) and not the result of some inherent depravity to watch out for – like the tendency for some birds to migrate in winter or for fish to swim or fear of strange men in dark places.
8. "In 2016, the majority of all prisoners in the United States (93%) were male, and this finding was consistent among both state (93%) and federal (94%) prisoners... In state prisons, the distribution of male and female prisoners remained unchanged between 2004 and 2016." U.S. Department of Justice Office of Justice Programs, Bureau of Justice Statistics, DECEMBER 2021 Special Report, NCJ 255037, Profile of Prison Inmates, 2016.
9. ...because its demanding character corresponds more clearly to the evident requirements of the masculine principle as it typically manifests among male human beings. Utilitarianism is hyperbolic, too, but it is psychologically too simple to inspire more than superficial compliance. Males are especially vain: they need to be treated as though they are special. Utilitarianism is oblivious of this need – by design.

theories. Virtue theory plays a similar subsidiary role to moral sense theory that utilitarianism does for Kantianism. It may offer better *practical* guidance on how to get along with others, but without having much to say as to *why* this is *ultimately* a good idea.

Moral sense theory answers the *why* question for one half of the population as Kantianism does for the other half. The "why *are* we moral?" and the "why *be* moral?" questions are different. These theories respectively address them. Utilitarianism and virtue theory are more concerned with regulating behavior than explaining anything.

This difference in the amount of discipline required of moral theories to enforce themselves explains some interesting facts in the way these theories evolved and in the way they have been described by philosophers, and, more or less, assumed, explicitly or not, by others.

The point is not that women are incapable of, or incompetents at, immorality or criminality, but that, unless we consider bringing life into the world criminal (and perhaps it is),[10] women as a class have never come close to competing with men in blatant forms of transgression, and – progress in gender equality notwithstanding – have *still* not. This fact has a lot to do with, we will argue, shaping the character and function of the moral theories we listed at the start, which purport to lay down the rules of what is acceptable human behavior.

We are going to make a case for a framework in which each of these four major moral theories plays a vital part. While they often compete with each other, they can also be seen as jointly necessary for accommodating the fact that the species has two distinct moral outlooks on the world and these correspond to the sexual differentiation of the species and all that goes with this.

We will not, as in many discussions of moral theories, be suggesting that one of these theories is the correct or superior one. No one of the theories is sufficient by itself for its intended task. Even taken together, we think, the prospects are bleak they will save us. There is evidence for a biological determinism at the metaethical level in which these theories arise and function.[11] This means their success or failure is – non-anthropocentrically, hence, adiaphorously – a matter of indifference. Of course, success matters *to us.* But *we are not the whole of nature*. Our purpose in this discussion is to place them in perspective *vis-à-vis* each other and the trajectory of moral development generally. I will not be hinting at anything like success at making humans more moral. No one of these theories nor all of them taken together is sufficient for that.

Brief review of moral theories

1. Utilitarianism: quantifying goodness

Taking them in the order listed for the reason cited, the most salient competitor theory to Kantian ethics is a version of consequentialism, called "utilitarianism." It has great support especially at the level of

10. Women give birth to males and fail to abort them forthwith – notwithstanding the predictable ingratitude of their criminality. Think of E. M. Cioran's mother who despaired at the things her son would write. Had she known, she told him, she would have aborted him.

11. I hasten to add: *not* determinism at the *first order normative, i.e., ethical* level. That the range of our *ideas* about human behavior may be circumscribed by biological sex does not entail any view on the free-will/determinism debate. Biology is just a fact among others we must contend with. Determinism, no less than free will, is circumscribed in its meaningful application, we have argued elsewhere.

large-scale policy decisions. Kantianism, by contrast, seems more intuitively applicable in interpersonal relations among those with rational pretensions. Utilitarianism clashes with Kantian deontology in fundamental ways. Public policy decisions taken to address the current pandemic, for example, illustrate this conflict nicely: discard individual autonomy if it stands in the way of certain aggregated goods. But it is susceptible to framing dilemmas and trolley problems. Do the numbers always trump other human values?

Consequentialists believe that what happens *after* an action is the sole determiner of that action's moral status. What comes *before* is neither here nor there unless, of course, it is causally correlated[12] to consequences, but, in the end, consequences are what matters; motives derivatively so. What matters about consequences? The version of consequentialism most discussed is utilitarianism. It specifies that what matters is the optimization of conditions for pleasure over pain for the greatest number of those beings subject to pleasure or pain, that is, sentient beings. The classic formulation goes like this: we should act in such a way that results in the greatest amount of happiness/benefit/pleasure *and/or* minimizes the greatest amount of suffering/harm/pain for the greatest number of those susceptible to these states, all these deserving *prima facie* equal consideration. In short, optimize benefits, minify harms for all concerned.

On the surface, the theory seems less obscure than Kantianism, but dig a little deeper and it reveals strange assumptions and internal puzzles.

Questions:
What motivates sentience—sensitivity to pain and pleasure or suffering and happiness—as the basis for a moral theory?

How do you quantify pain and pleasure? As a practical matter, how do you weigh up pains and pleasure to compare them?

Can they always be separated? Are there pleasurable pains and painful pleasures?

Are there *qualitatively* different kinds of, say, pleasures that make some worth more than equal quantities of others? Are there "higher" and "lower" pleasures? Is the pleasure you take in playing your favorite game, chess, for an hour of greater intrinsic value than the pleasure I get from playing my favorite game, checkers, for an hour? Your taste for opera of a higher order than mine for football? One utilitarian, Jeremy Bentham, thought not; another, J. S. Mill, thought yes.

Problems with utilitarianism
More critically: if it's pleasures we want to maximize or pains we want to minimize, and these are *quantities of something*, aren't quantities of empirically discernible features themselves features of something or other? Pleasures or pains don't exist outside "containers." As we know them, pleasures and pains exist *in* something—in vessels, e.g., human and animal bodies. If what has positive value is pleasure, and what has negative value is pain, and *no values inhere anywhere else* from a utilitarian perspective, then what value do the containers have? Is it possible they have none? In other words, if it were possible to isolate pleasure and pain from their containers or vessels, might we seek to magnify

12. But to the extent all events are causally connected to prior ones, i.e., determinism is assumed, it's not clear how utilitarianism can function normatively. What's the point of telling people to optimize consequences when they have no say in the matter? Utilitarianism's naturalistic pretensions are problematic.

and minify, respectively, these objects of value *apart* from any given container, discarding the latter or arbitrarily transferring the value-conferring contents to more supportive containers should these serve better the end of optimizing the contents? It is only the contents matter—only pleasures and pains are morally relevant—not their containers, right? Is it similar to the way you might discard/recycle an empty wine bottle once the contents have been utilized?

And if it is not conceivable pleasures and pains can be sorted from their containers, then the containers must also have at least instrumental value/disvalue for their contents. But instrumental value by itself seems a dead end if there is not an entity for whom it is instrumental. Utilitarianism does not allow for this.

Moreover, utilitarianism is defined in terms of minimizing pain, harms, and suffering while also optimizing pleasures, benefits and happiness. But can these twin goals conflict? Does one necessarily reduce harm by increasing benefits? If they conflict, does one take priority over the other? If so, which one? For example, a simplified version of the Hippocratic oath has it: "First, do no harm." But why not "First, do good"? Depending on which principle you prioritize, you may have radically different consequences. You go to a doctor because of a pain; the doctor, thinking he may do *just as well* by offering you a drug to make you feel so happy you forget about the pain...

One of the most paradoxical outcomes of *pure* forms of utilitarianism is that they may force us to *choose* between maximizing pleasure *or* minimizing pain. Doing both is counterproductive. Dividing your finite resources between *distinct* goals is an ineffective way to achieve either. Doing the first with dedication requires radical transformation of the containers to the point they become unrecognizable, raising the question of who or what are we doing ethics *for* in the first place. If we mean beings *like us*, we need worry about too much transformation. If, *unlike us*, this may entail the total elimination or extinction of the containers. The non-existent feel no pain.

And if we back off from the pure forms, and mix in non-utilitarian values, we are left with very limited rules of thumb, moral recipes, that may affect outcomes but explain little. The theory loses its teleology: what's the point? If the point was to survive, like the rest of the animal world, we've never needed moral theory to do that. We managed fine for eons without it. Just do what works to achieve more local short-sighted goals, and be done with it. Leave the rest to natural processes. Don't think too hard or ask too many questions. After all, the door is always open to engineer ourselves to *enjoy* pain and *shun* pleasure if that is all that matters or if that better suits our immediate plans – as it likely will as we encroach on the extraterrestrial.[13]

Core features of utilitarianism

- consequential
- prospective
- seeks universality
- quantificational
- hedonistic
- simple, relatively, in both its metaphysics and psychology

13. There is current work on modifying human genes to heal from the inevitable cosmic ray damage, attending extended stays in transit to and on distant planets. But why stop there? Consider the benefits in reducing reluctance to undergo healthy but painful medical procedures by reversing the pleasure/pain valence of a root canal procedure. Why not make it feel like an orgasm? We can do better than anesthesia.

2. Kantianism: it's about how special we are

Suddenly, the moral question seemed to me not so much overwhelming as extremely insignificant. The moral problem, if we are to relate to it, ought to be both less demanding and greater. For as an ideal it is at one and the same time insignificant and unattainable. Insignificant should it be reached; unattainable because it cannot be reached.

– Clarice Lispector, *The Passion According to G. H.*

Kantian or deontological theories of ethics stipulate non-consequential criteria in evaluating the rightness or wrongness of the behavior of rationally capable beings. Morality, according to Kant, only applies to beings who are *capable* of molding their behavior – mental and physical – according to a rule or principle. The rule or principle is founded on some special and unique feature of the entity. *Sentience* doesn't cut it for humans, according to Kant. Susceptibility to pleasure and pain is not special to us. Sentience pulls us this way and that, just as it does with most animals. But, *because* we can abstract from feelings, undo these strings – these natural impulses – in deciding what to do about a serious matter[14] and are capable of acting *in opposition* to feelings, habits, predispositions, etc., if these do not conform to the rule recognize *by us* as applying *to us*, then we must operate under a different set of rules than those rules to which merely sentient beings are subject. Kant thought of us as *self-legislating* beings or, at least, capable of it. We can at least *wish* to govern ourselves in the face of whatever nature throws at us. Not that we always do, or even always can, but these limitations don't excuse us from the obligation to exercise *the will to* self-governance. Such capability is what makes us liable to being held responsible for what we do – or, at least, what we think. It makes us subject to judgment. We can be blamed or praised. At least with regard to what moves us to act. Obviously, a lot in the natural world will have a say in what we *actually* accomplish, but nothing out there can force our *will* to fail to orient itself toward the *right* thing. Circumstance may dictate what happens, including what your feelings about them are, but, *as a rationally autonomous being*, nothing can alter *your will* provided it is focused on that rule or principle.

Sentience doesn't cut it, and neither do other features of behavior that competitor theories rely on such as good habits, instinct or predisposition, fear, self-love, benevolence, etc. Neither carrots nor sticks should be pulling your strings. *You* are not responsible when subject to carrots or sticks; that is an accident of your history and constitution. In the end, for Kant, *one thing and one thing only* should be the ultimate determiner of your behavior around other rationally autonomous beings, other morally relevant entities, like yourself – something he thought you *are* in control of, and that is an uncompromising respect for the fact that *they and you* are members of a cosmically exclusive club of almost godlike beings. Beings, this way described, would recognize Kant's three Categorical Imperatives (which are different aspects of the same idea: that we are *extraordinary* beings):

1. Never merely *use* rationally autonomous beings, others or yourself. Always treat them as *ends* in themselves. That means: as though the goals you share with them are in accordance with that of any rationally autonomous being. The sorts of beings Kant's morality applies to freely choose their own ends and are not to be used as instruments to ends not their own.

2. Always act so that what moves you to act could be formulated as a rule governing *all* those similarly capable to you. You must never make an exception of yourself. You can never at once

14. In fact, having the cognitive wherewithal to recognize a matter as "serious" in the first place already makes us special.

think all those similarly capable to you should act in a particular way – e.g., they should never lie, while, at the same time, it is OK for *you* to lie in *your* situation. Acting so would impugn your rationality.[15]

3. You *recognize* yourself a member of a singular group of similarly capable beings privileged with rational autonomy. This group is self-governing, a rarity among the known items of the universe and worthy of the highest respect. Your specialness derives from your membership in this select group. Your behavior should not belie such membership.

In short: act so that you are moved to act out of *respect* for the moral law. And the moral law is the Categorical Imperative, spelled out in the listed three ways. *Nothing else matters morally.* That's what it means to be "moral" for Kant. And your *self-worth* depends on the recognition that this morality applies to you.

"Godlike"?... Actually, we are perfectly capable of being devils, too. Kant was keenly aware of this as well. But devils can be such *only and precisely because* they can autonomously choose to act *against* the Categorical Imperative: *only a being capable of being moral can be immoral.* Everything else in the universe is governed by the laws of nature: it is all amoral, adiaphorous, neutral, that is, *morally-speaking*, neither good nor bad.

All this requires, of course, a metaphysical *dualism* to work: a world of *events* and the natural laws that govern them *in addition to* a world in which only things willed to happen by *special beings* capable of being governed by reason happen – a world inhabited by *agents*. We are such; we inhabit *both* worlds. That's what makes us special. Our presence in the second world explains how morality can apply to us, how we can be moral *and* immoral. In the first world, the natural world, morality simply doesn't apply, according to Kant. In the world of the material, refer to physics.

Problems with Kantianism

A charge sometimes leveled at Kantian ethics is that *feeling* plays no essential role in Kantian ethics. In fact, it usually gets in the way of morality. But Kant *does* recognize *one* singular, critical, and morally relevant feeling, a *sine qua non* of the possibility of a *human* moral act: the *feeling* of respect. This is the *felt awe* in the presence of an abstract principle stemming from the realization that we are creatures privileged to perceive it – to *feel* it. This is an allowance made for emotionally vulnerable beings like us. We are not inert and not automatons. We are enabled, *unlike* everything else in the universe, to be *moved* to follow a rule because of the consciousness that it applies to us. Strings are attached to the movement of every item in the natural world, including us, but *only we and beings like us* may imagine commandeering them. We are *not* machines programmed to follow this or any rule. We are susceptible to being *moved* to follow a rule by a capacity for greeting a rule with a special feeling of awe-inspired subservience. In this consists our freedom and the source of being responsible. We are under an imperative to seek or cultivate this feeling in ourselves… A serious puzzle follows from this which we address shortly. But first a minor one...

Against common sense

Kant insists, for example, that telling a lie is wrong – *always*, no exceptions. He says this because in those situations when you may be tempted to lie because of the disturbing consequences of not lying, *especially* in these cases, your lie violates the core principle that rational autonomy should be held in

15. Regard for rationality wherever it inheres, in oneself no less than in others, is tantamount to being moral for Kant.

the highest regard wherever it inheres. This is in tension with some "common sense" intuitions – for example, that we *ought* to lie to a murderer at the door about the whereabouts of his intended innocent victim, as any utilitarian would insist. So much for common sense…

A Kantian response is that by misleading a rationally autonomous agent you are robbing *them* of the information *they* need to make responsible decisions. You are treating them as though they were a runaway trolley. Rational humans are not trolleys. This is a serious moral violation on your part as the liar. If they use the truthful information you provide for immoral purposes, this is on them: *they* commit the wrong, *not* you. If your worry is the avertable negative consequences of telling the truth in this case, you must be thinking consequentially, placing the manipulation of events *above* respect for moral agency. *Using* people *even for moral ends* is never acceptable. (There is, of course, this out: if you have reason to believe the would-be murderer is *not* in possession of his or her – usually *his* – faculties, then they *are*, morally-speaking, a runaway trolley and consequentialist considerations then may prevail.)

Not once in the history of humanity… really?

A much deeper challenge for Kant's theory has to do with a conflict between basic human nature, as even he recognized, and the psychological purity demanded by his theory which raises doubts about *the very possibility* of any human act attaining moral status, whether it comports with common sense or not.

There is *only* one moral motive, maxim, or incentive according to Kant. It is unadulterated respect for the rational marvels we are: beings capable of conceiving themselves ruled by *respect for an abstraction*. He insists on this but at the same time is not blind to the fact that we are so poorly optimized for accomplishing an instance of a moral act so described. Unlike the relatively simple moral psychology of utilitarianism, Kant's is very sophisticated. We *cannot* permit these motives:

- habit
- consequences
- fear
- self-interest
- disposition (sympathy, benevolence, etc.)

to qualify our acts for moral status. We are left with *only respect for the moral law* to move us to act morally. Otherwise, we act *a*morally. Not necessarily *im*morally, just not becoming of our status as rationally autonomous beings capable of doing things for the one and only right reason. Most of the time we behave like animals – no discredit to animals, just not as the "godlike" creatures, rumor has it, we sometimes want to think we are. To the extent we *are* animals, we can't be condemned. To the extent we *stoop* to being like them, we *can* be.

Since, in real life, we must presuppose the list of *amoral* motives cited nearly or completely qualifies *every single one* of our acts, we are *never* moral. But since when have we *ever* acted as Kant recommends? Kant is keenly aware of our capacity for self-deception. Couple our natural inclinations with every motive imaginable to self-deceive when adjudicating our own behavior, and a moral act has a snowball's chance in hell of being associated with anything we have ever done or can imagine doing. This is not to say that our acts may not give every indication of being *in accordance with* what morality dictates *but that is a judgment of its legality, not the same as its morality.* Legality is not morality. We can go through *the motions* being good (even animals do this), but that is not the same as *being* good. If

it were, Kant would be a run of the mill consequentialist.

The question is: *who* is in a position to pass such *reflexive moral judgments?* Others may judge of the legality of your behavior because they can observe your behavior. But only you are (maybe) in a position to judge the moral valence of your own acts because *only* you may know (maybe) your *own* motives. And you are *the most* interested party in any decision about them. Why should anyone believe you? Why should even *you* believe *you?* Who's going to gainsay you if you tell fibs to yourself about this? And who is better motivated to lie to yourself than you?

It seems we must conclude: that it is possible, if not likely, that *not once in the history of our species has a moral act happened.* How could this statement possibly be falsified?[16]

…

This makes Kantian morality what I call "hyperbolic." Taken literally,[17] it is absurdly over-the-top in its demands, but perhaps – depending on the nature of the agents it intends to address[18] – *necessarily* so. Utilitarianism is *also* hyperbolic but for different reasons. It's moral psychology is oversimplified, but again, depending on the nature of the agents it intends to address, maybe this is *necessary*. The theories we consider next are not hyperbolic.

Core features of Kantianism

- non-consequential
- retrospective
- seeks universality
- qualitative
- rationally grounded
- complex, because dualist, metaphysics and psychology

3. Virtue theory: "when in Rome…"

The appeal of this theory is, I think, that it is down-to-earth and supremely commonsensical. You don't have to reduce people to Pavlovian dogs or elevate them to god-wannabes. Folks generally get along well enough in their communities by doing what the decent people around them do. The most decent people are the ones most everyone around looks up to. These are role models, paragons of excellence in your social environment. To behave as these do is to be virtuous. Aristotle cooked up this theory way back in ancient Greek times. The world was smaller then. Most people that mattered basically understood each other and agreed on certain basics, sharing more or less the same language, customs, and culture. There were disagreements and disputes, of course, as in any family, as well as accepted procedures for resolving them, but what we now term "diversity" was far more attenuated. Family is family, after all: these are people we are typically content to live with or near. This follow-the-local-norms understanding of morality worked well for awhile within a circumscribed range and for as long as exposure to aliens with radically different norms could be kept minimal. The Greeks even coined the term "barbarian" to describe non-Greeks, clearly indicating that local Greek norms were never

16. "Kant's Ambivalence on Reflexive Moral Knowledge," Victor Muñoz, MA thesis University of Washington, 23 April 1984.
17. "Literally" is the only way to take these theories. Otherwise, they reduce to casuistry.
18. As we will argue shortly, these *hyperbolic* theories address *masculine* vulnerabilities and orientations.

expected to apply to them, these foreigners... Moral norms were just for us, decent, civilized folk.

This theory is still very much alive today. The world's being much bigger now does not necessarily preclude the possibility that common norms may be accepted across a wide range of diversity. Not necessarily… but sadly, in practice, its troublesome lack of universality is still an impediment to its global application. If we confine ourselves to local relations, day to day interactions, the theory still has much to be said for it. People want to get along. We are social animals. And the animals we want *most* to get along with are those proximate to us: geographically, historically, culturally, socially, and blood-wise.

Furthermore, Aristotle believed we don't become moral merely by mimicking the behavior of those about us. It's not enough to ape behavior. The behavior must become *second nature* for it to be virtuous. You have to be exposed to virtuous behavior, copy it, and keep it up over a long time, then, with some luck, in the fullness of time, you may become a paragon of virtue yourself, a veritable role model for others. But this can take a lifetime to achieve because we are not naturally virtuous. There are powerful forces we must overcome. We have the wherewithal to become virtuous, but it will won't happen without a lot of effort and training. We are born wild and must domesticate our impulses. This is hard. Thus, young persons may *behave* virtuously but they can't *be* virtuous because they are still too occupied with wrestling with their drives and impulses. Their behavioral conformity with virtue has not become *habitual* yet. When mastery over these drives and impulses is attained, or they wear down sufficiently,[19] virtue may make an appearance. Not everyone ever pulls this off completely, but to the degree it sometimes happens, this, Aristotle, called *excellence*, the basis for real virtue. A community that supports this development with its institutions is therefore a good one. "It takes a village…" That's what morality is all about. It's about getting along with those *that matter* – these, it happens, will always be nearby.

Another important feature: Aristotle's theory probably describes more accurately how most children grow up to be decent adults. They don't read consequentialist or deontological texts by the likes of Kant or Mill. They get "socialized" by copying parents, teachers, and anyone happening in their environment. Hopefully, they only get exposed to halfway decent people. But bad behavior happens both because our natural instincts are not entirely social and because the people around us, our role models, are not always stellar paragons of morality. Most of the time, things go well, more or less. We'd all have been dead long before now if it hadn't. But there are problems and limits to the usefulness of this theory. Maybe it's a good place to start but it falls short of explaining things ultimately for the reasonably curious. Still, it offers guidance closer to home and with less speculative reduction or abstraction than utilitarianism or Kantian theory.

Problems with virtue theory

Its biggest problem is its lack of universality. What if I don't like or identify with my local community or its values? What if I think my way toward demanding an explanation for why the folks around me claim to have the right notions of what constitutes morality? What if I am exposed to other cultures and practices which cause me to see the limitations of my own? What if my culture practices slavery or denies the humanity of persons in whom I see nothing inferior to anyone else? What if I keep confronting evidence that the norms and beliefs of my community may not be correct?

19. Age, senility, and debility typically facilitates virtuous *behavior* – but not virtue. Octogenarian serial killers likely kill less. To the extent this withering of our natural depravity is *not* earned, it's not virtuous. This distinguishes virtue theory from consequentialism/utilitarianism.

Maybe the problem is that I wasn't properly or completely acculturated to my social surroundings? If things had worked as they typically do, I would not feel so at odds with those around me. My training didn't take. I must be "bad seed"... Alternatively, I am living among the benighted and depraved. Or both: I am a *bad* member of my community *and* my community, too, leaves much to be desired. Is there no better explanation for why I should behave a certain way than because the people around me do?... At best, this suggests keeping blinders on, shut up and don't ask too many questions... But for many who would defend this theory, this belies the virtues of empirical curiosity and critical mindedness that Aristotle, for one, exemplified so well in other areas of philosophy.

Virtue theory doesn't go very far toward explaining why these qualms appear and how they might be stayed. Still, no doubt, there is some virtue in getting along with others in your vicinity. Life will be hard if you are too picky morally.

Core features of virtue theory

- consequential (ultimately, if the goal is "to get along") *and* non-consequential (instrumentally, again, if the goal is "to get along" – what kind of moral goal is this? If morality is about providing moral guidance, this theory is permanently provisional.)
- teleological
- does not seek universality
- qualitative
- rationally grounded to an extent (but *only* to a somewhat arbitrary extent)
- simple operant-conditioning psychology (carrots and sticks tend to work)

4. Moral sense theory: people are basically good… some of them, sometimes

Kant and the utilitarians are psychological egoists. They believe that, left to our inborn devices, we will won't work too hard to be moral. We are evolutionarily engineered to look out for number one. When we do show concern for others, it's because there is a personal angle in there somewhere. "One thought too many," as Bernard Williams once put it.[20]

But is this the whole story? Isn't there another way to view the moral relations that should subtend between us? Suppose the "selves" we come to care about are not atomistic points in moral space but are, or can become, something more significant than any of them taken separately or even put together. Suppose, instead, morality is about the development of an individual self so that it *enlarges* to encompass other selves to the point that the *significant* moral entity ceases to be a constituent part but this larger composite: ideally, so that we spend more time concerned with the well-being of this whole and less about the parts, including *the* part, as individuals, we can recall once, ourselves, being, before this expansive development.

Moral sense theorists believe we come *naturally* equipped to view things this way. We are inherently selfish, yes, but *also* much more. Built into us is a feeling for others, a sense of benevolence, an untutored concern for the well-being of what is around us. We *naturally feel for* the world around us. Especially, of course, early on, for those near, dear, and like us, but in the normal course of things the circle of concern expands to compass the less intimate and distal – with no obvious upper limit except

20. Williams meant something different from what I allude to here, but there is a general form of the "one thought too many" problem which I gestured at above in my discussion of Kant.

that enforced by our mortality. (This needn't entail *equal* concern for all or each part, just the expansion of the circle of concern.)

This feeling is, in the normal case, *as* intrinsic to our animality/humanity as self-interestedness. This feeling or capability makes *just as much* survival sense as selfishness. We are *essentially* social – and harm to any element in the circle of our concern is harm to us. It matters to our joint survival. And *joint* survival can and often does override, as a goal, that of any one of us taken in isolation.

This feeling is intrinsic but it does not flourish without deliberate external encouragement. It needs nurturing. While most of us have some degree of natural empathy, this view does not deny that self-interestedness is not a very real and competing force. We are also aggressive, perverse, easily forgetful of our joint project of survival and flourishing. Moral sense theory, in its various forms, stresses the need for *managing* social conditions and the inter-human environment so that these are conducive to the growth and expansion of *collective* concern. This is how we become *better* people, *both* as individuals *and* as collections of individuals.

Morality is all about enhancing a capability already present in us. It is not about pedestalizing monolithic rules and principles as though we were machines or abstractions. The rightness or wrongness of an act depends on what it does to enhance *the project of enlarging the self*. When most people do bad things, this indicates a failure in the process. Correcting these failures is the correct imperative. *We have what it takes*, this theory premises. We could not have survived this long if a built-in "moral sense" hadn't *all along* been operative. Those other theories *presuppose* that we give a damn about living together, but why do we bother? Why be moral in the first place, why exert ourselves to relieve pain and suffering and promote pleasure and joy wherever possible, why value our rational capability in the first place... if these things didn't conduce to our being *better* players in a game of surviving and flourishing in the day-to-day world? This theory gives a simple answer: because *we are beings that, first and foremost, care*.

History and variants

> No matter how selfish you think man is, it's obvious that there are some principles in his nature that give him an interest in the welfare of others, and make *their* happiness necessary to *him*, even if he gets nothing from it but the pleasure of seeing it.
>
> – Adam Smith, opening lines of *The Theory of Moral Sentiments*

The conviction behind this theory shows up especially in the Scottish philosophers of the 18th Century: most notably Lord Shaftesbury, Francis Hutchinson, David Hume, and Adam Smith.[21] In connection with Smith, it is ironic that Karl Marx, too, shared a related intuition when he describes the locus of moral concern he called a "species-being." Marx didn't think we were doomed always to form cartels of selfish capitalists. He implied we have it in us to do better than this *because* we are not wholly depraved narcissists. And Smith thought that it is precisely *because* we genuinely care to improve the lot of humanity that any halfway decent person will want to generate and amass wealth in the first place: *to share it, not hoard it!* (Imagine that: Adam Smith and Karl Marx, fathers of capitalism and communism, respectively, in the same moral bed together.) Moral sense theorists are an optimistic and, by definition, generous bunch.

21. These moral sense theorists were, in part, reacting to the psychological egoism of Mandeville and Hobbes.

Adam Smith considered his *Theory of Moral Sentiments* his most important work, not the more famous but derivative *Wealth of Nations*. His economic/political philosophy was driven by his moral one.[22] In it, he made clear that not everyone in the world is suited to or capable of being a competent generator of wealth. Some people like doing this sort of thing. Good for them. Others have different priorities. Good for them, too. A society does best if its members do what moves them, which will usually be what they are good at.[23] Governments should never stand in the way of this. How would a government know what you are happiest doing and most productive at? This is what the *laissez-faire* part of capitalism means. Leave folks alone. *Folks are naturally inclined to be and to do good.*… They *want* to contribute to the genuine well-being of those around them.

But if it should turn out that this does not describe what actually happens in a "liberal" society – that not enough people realize that the *true* moral justification for creating and amassing wealth is *the general good,* not that of a greedy few – *if*, instead, these start to waste it on "filthy lucre," or worse, on out-sized power aggrandizement, when it comes to feel like what is beneficial to them *must, in virtue of that*, be of service to others, well then, capitalism – *if* that's what it comes to – will taint this rosy view of human motivation. *Laissez-faire* assumes too much is good about us. And, *if* so, indications are, Smith would have agreed. What today we call "capitalism" would cause him to roll over in his grave. His economic theory could only be justified if his assessment of the moral qualities of the general run of humankind were correct.

The formation of *centers of power concentration* and the consequent diminution of moral concern appear to be inexorable outcomes of collectives, *both* liberal *and* communitarian... I still want to think that both Adam Smith and Karl Marx meant well. Human material has just not shown itself up to the task of realizing their visions. If only people were more decent than they are. Might they be one day?

Care ethics

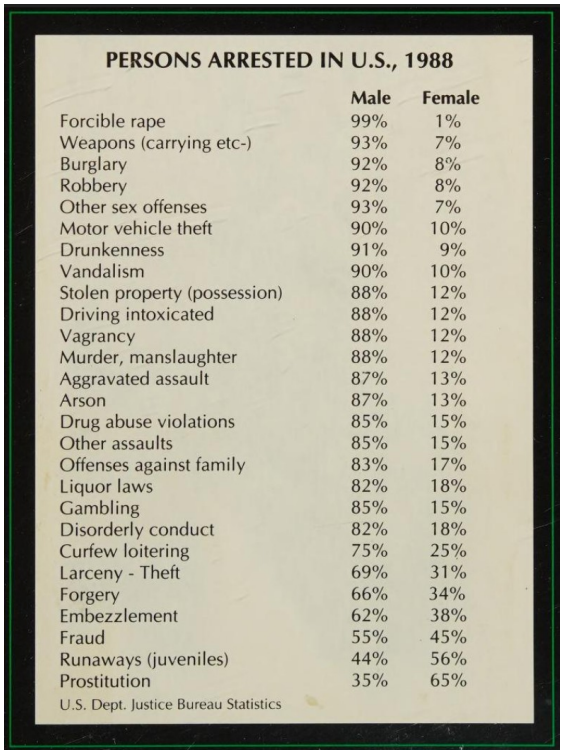
An important strain of contemporary feminist ethics is also aligned with the basic intuition grounding moral sense theory. But here the outcome seems more interesting and revealing.

In the 1970s, Lawrence Kohlberg, Harvard researcher in the moral development in children, after observing how boys and girls come to be morally socialized, arrived at the striking conclusion that girls seldom attained the kind of *universal* moral understanding more typical of boys. The normal course of development goes like this: both sexes start out egotistical. In time, boys develop a sense of themselves as equals among others who merit similar consideration. Then, some boys proceed to the advanced stage of internalizing and embracing rules abstracted from concrete embodiments of self and others to a moral psychology reminiscent of Kant's where universality *must* be enforced on pain of moral incoherence. The self-worth of boys becomes tied to their having mastered *the discipline* implied in rules. (Recall the *hyperbolic* demands of utilitarianism and Kantianism? It has to do with discipline. Girls need less whip-cracking to socialize.)

It doesn't seem to work this way for girls. One might get the impression from Kohlberg that girls are morally retarded if evidence like that on the cover of June Stephenson's book *Men Are Not Cost-Effective* wasn't pervasive.

22. As is usually the case with philosophers with their priorities straight.
23. A notion reminiscent of Plato's in *The Republic*.

Carol Gilligan, a student of Kohlberg, not impressed by the insinuation that girls were somehow less moral than boys, went onto focus her study on the moral development of girls and how it contrasts with that of boys. Her conclusions recall a moral sense theorist view. The language of "self-expansion" cited above is hers from her book *In a Different Voice*. Girls do not become "moral" in the same way boys do: *by atomizing and abstracting*. Rather, they *enlarge* their initially self-focus to engulf others and the environment. "Others" become increasingly significant, without pretending that the self is ever merely just an "other" among "others." We are not merely vessels of sentience nor embodied abstractions. There are no *categorical* rules or principles about counting everyone equally,[24] or an *insistence* that the same path to morality applies to all, or that it is grounded on any *one* feature of humans or animals such as sentience or rationality. It is enough if empathetic imagination can stretch to cover something and make it an object moral concern.



From the cover of June Stephenson's now classic 1995 book *Men Are Not Cost-effective*. The stats have not changed appreciably in the time since.

Importantly, the *urgency* that characterizes hyperbolic theories that maximize utility or pedestalize reason is absent. The risk-taking that abstraction or reduction enables is inessential. Moral sense theory shares with virtue theory a concern with social harmony and animal flourishing. But unlike virtue theory, there is no specific teleology or agenda beyond that, no insistence that this is how it *must* be for all or that the community is *everything*. Healthy empathetic imagination is culturally proactive, and thus always open to revision and reform. One might argue that virtue theory is a more conservative variant of moral sense theory; it may be at least necessary to be concerned about the community but by no means sufficient. The valuable practical concerns of virtue theory are easily incorporated into a moral sense or care ethic. But where virtue theory is static in its trajectory, moral sense theory is not. Like Kantianism, it envisions development *away* from moral complacency – if with less urgency.

But what makes moral sense theory ethically *foundational* in a way virtue theory is not, is that the former is rooted in a natural feature of human/animal kind: its dioeciousness and the sexual bifurcation of biological/psychological experience. There are "*two* kinds of people in the world" and moral sense theory resonates especially well with the kind that comprises *the less transgressive half*.

Problems with moral sense theory

Kantianism – the *other* foundational theory – suffers from intrinsic sky-scraping demands. This makes no sense for the moral sense theorist. *Why can't we just be nice to each other?* What prevents this is

24. In contrast to, for example, the dictum attributed to arch utilitarian Jeremy Bentham: "everybody to count for one, nobody for more than one." See "'Everybody to count for one, nobody for more than one' The Principle of Equal Consideration of Interests from Bentham to Pigou," Marco E.L. Guidi, «"Everybody to count for one, nobody for more than one"», *Revue d'études benthamiennes* [En ligne], 4 | 2008, mis en ligne le 01 février 2008, consulté le 21 février 2024. DOI: https://doi.org/10.4000/etudes-benthamiennes.182.

that we are not, the half of us, *naturally* nice. Our gene-pool didn't get this far by playing nice all the time. We are here because our ancestors eliminated their competitors. Had they not, the descendants of *their* victims would be in our place instead.[25]

The role of civilization has been to temper this social Darwinism, to nudge the course of nature along a kinder, gentler path; make life a little less "solitary, poor, *nasty*, *brutish*, and *short*." Must the struggle for survival forever involve the purposeful infliction of harm? Moral theories, in general, were invented to help mellow our default depravity. But moral sense theory, specifically, has always tried to remind us we are *not* 100% depraved. We are *capable* of expressing angel-hood; we have some of that in us as well.

But the obvious limitation of moral sense theory is that the empathy quotient it avers is not universally or consistently distributed. Granted, nearly all of us have some, some more than others, but a few none at all. And even when we are lucky to have some, nothing prevents its presence from being overridden by other impulses that, for *both* better *and* worse, must have been there from the beginning in order for us to be here now. We have "worser angels," too. Moral sense theorist David Hume famously noted this and even offered the pointed example of the "sensible knave" for consideration. See Appendix 3 below for the implications for moral sense theory of the "sensible knave" – aka psychopath. Moral sense theory is compelled to downplay or ignore the prevalence of knavish tendencies.

Still, obviously, one half of humanity *naturally* resonates with some form of moral sense theory…

Core features of moral sense theory

- non-consequential
- prospective
- seeks harmony, not universality
- qualitative
- not *abstractly* grounded, rather *concretely* "rooted"
- naturalistic metaphysics and psychology

Sex and morality

Morality is a cure for a disease women don't get.
– Bianco Luno

Connecting the dots, the hyperbolic theories, utilitarianism and Kantianism, are custom made for moral intransigents. Men – or masculine elements wherever they inhere[26] – are especially in need of the discipline and the sky-scraping demands these theories offer. Kantianism, however, due to its more sophisticated psychology, better explains this need than utilitarianism. But not even both combined are sufficient to the task understanding the human – female *and* male – moral condition.

This explains the curious level of attention and support women philosophers continue to grant Kant, despite the unabashed sexism evident throughout his moral writing. One would think, given that Kant actively dismissed women from moral agency, grouping them with flora and fauna, and the obvious

25. On the assumption that our being here *at all* is not a mistake, as the antinatalists argue. Had *others* come to be where we are now, then at least the blame could be displaced.
26. See Appendix 2 below on the sexual continuum.

moral depravity of men alluded to above – *and that Kant himself, in no uncertain terms, acknowledged* – that both women thinkers in his day and contemporary ones now would uniformly take a dim view of his ethics, finding it, at least, incoherent if not outright offensive. That some have is true. Kant's expressions of sexual moral bifurcation are anachronistically worded and require some effort at interpretation to salvage their import. But his dismissal of women from moral agency was conditioned by the fact that the morality he devised was built *from the ground up* specifically for those who *needed* it: *men*. We need to specify what morality meant to Kant, why he thought so, and why it does not have quite the negative connotations it seems to have at first blush for women.

Many of the most prominent Kantian scholars today are women.[27] How come? I count very few women utilitarians,[28] while there are notable female virtue theorists.[29] And, of course, care ethics has an unsurprisingly significant following among women.[30]

I venture to speculate that Kant's moral theory resonates – to the not inconsiderable extent it does – for women because of its importance for explaining both proprietary *male* intransigence and the need for its effective domestication. Women, themselves, don't need Kantianism, but they need it to understand masculine behavior and deploy it instrumentally for the sake of having to live in the same world as men. Utilitarianism, disconnected from all but basic animality, though heuristically useful (as its very name implies), is not very revealing of the specifically *human* condition with its pretensions to rationality. Virtue theory is wonderfully practical but limited to domesticity...[31]

Moral sense theory is so obviously feminine that it barely requires defense as a moral program except when it is forgotten that if it wasn't in great degree true we would fail to exist. Our mothers would have aborted us all.

Ethics and endgames

Ethics are rules about interacting among entities where at least one of them is not indifferent. The parameters of ethics will be determined by the nature of these entities: are they sentient, rationally enabled, predisposed to certain behaviors, roles, or perceptions? These features will shape the specifics of ethics as it applies to them. This suggests dioecious species will be morally bifurcated in proportion as these parameters are differentiated. (See Appendix 2 for more on these parameters.) The differentiation will, we presume, be optimized for survival and flourishing of the species as a whole,

27. Christine M. Korsgaard, Barbara Herman, Marcia Baron, Onora O'Neill… to list only a few. Mari Mikkola confronts the mystery of why Kant is so popular with women thinkers in the face of his apparent misogyny in "Kant On Moral Agency and Women's Nature," *Kantian Review*, 2011, 16, 1, 89–111. Bianco Luno suggests the charge of misogyny is more than a little anachronistic. No, Kant didn't get the human moral picture wholly right, but *half* right is better than nearly all his competitors.
28. Harriet Taylor Mill would be more remarkable were she not so closely associated with John Stuart. Count the rest here: https://en.wikipedia.org/wiki/List_of_utilitarians.
29. Rosalind Hursthouse, Martha Nussbaum, G. E. M. Anscombe and Philippa Foot come to mind.
30. Following – or in parallel with – Carol Gilligan are Annette Baier, Nell Noddings and Virginia Held. Of special note is Ayn Rand: moral sense theory, even an ethics of care, undergirds her seemingly ruthless individualism. It is *because* she thinks empathetic imagination is a primal force to contend with that her theory promotes egoism. We *too naturally* care so much about others that it impedes our ability to be effective. We easily fall victim to our own empathy. But the value of special attachments requires that we be chary in dispensing concern. In order to say *yes* to some we must say *no* to many. Thus, she takes special aim at utilitarianism and Kantianism. She is *not* a psychological egotist as Kant and the utilitarians are. She is *normative egoist*. See her essay "The Ethics of Emergencies."
31. "Be good in the eyes of those around you. Of course…," "Don't do anything stupid," etc. is always handy advice.

and, only secondarily, of the individual. The differentiation is mutable and will track both natural and supervenient cultural conditions as these change.

As long as these changes are natural, their pace will align with their environment. Cultural supervenience has thus far accelerated it. In the future, this development may *slow down, reverse,* or proceed to the disappearance of the species via *conscious transformation* or *voluntarily extinction* – if the course of nature doesn't preempt these outcomes first.

Moral theories are relevant to these outcomes. Positive utilitarianism (prioritizing the proliferation of positive experiential states), combined with certain non-reductive views of mind (such as functionalism), augur trans- or post-humanism. *We disappear by becoming something else.* Certain forms of Kantianism – Weiningerian, for instance – point to voluntary human extinction, as does negative utilitarianism of the Benatarian type. *We disappear full stop.* These hyperbolic theories are fiercely progressive; they are not going to stop demanding reform from us until they have exhausted our animality/humanity, until we cease to be recognizably either.[32] Neither Kantianism nor utilitarianism envision an indefinite homeostasis: freezing natural or cultural development at any stage. So, it seems, we are headed for disappearance one way or another. *The* disappearance these theories recommend is a graceful – because rationally-flattering – performance.

The other theories, virtue and moral sense theories – concerned as they are with managing homeostasis – are less teleological or end-driven. They are critical maintenance theories. We have stuff to do *before* we disappear. That's why these should not be overlooked. These have more to say about the quotidian content of life. We can't very well die – gracefully or otherwise – if we were never very gracefully alive.

Resources

Past topics related to this one:

1. "Sex differences: part 1: boys kill"
2. "Sex differences: part 2: equality v. parity"
3. "Abortion, Sex, and the Limits of Morality – Part II Lessons for moral theory taken from the morality of abortion," Bianco Luno, *Aporia*, 2012. (Also at Archive.org.)

Appendix 1

Descriptive v. normative

Propositions that use "is," "was," "will be," or imply the same are referred to as *descriptive* in philosophical ethics talk. Comments about what "ought" or "should" be or such are considered *normative*. The first *attempts* to describe reality apart from any interest the speaker/writer has; the second recommends a state of affairs or expresses a preference that something be a certain way.

32. The *hyperbolic* character of the masculine theories is essential to their role in regulating self-deception and complacency. Moderation *will be* exploited to the hilt.

Superficially, these moves seem discrete, but it is in practice difficult, maybe impossible, to separate them entirely.

In this discussion about normative theories and their relations to each other and the natural world, we are *trying* to remark on a structure connecting the various theories. We are *not* trying to impose a structure but noticing one already there. It may be we are failing and seeing things that are not there. We are, after all, *all* players in the game of ethics – even those who would deny ethics any validity: as long as they *express* their denial. For denial in itself is already normatively laden. Quietism about morality is the only way to escape. The dead, for example, are good at this.

Nevertheless, there are degrees of conviction about the legitimacy of projecting normativity, or at least consciousness of the projection. There are somethings about which we don't even pretend to be impartial about, and others we do make a pretense and more or less succeed to our satisfaction, and others, perhaps the bulk, about which, "more or less" is about as much as we can express about them.

History and science make a great pretense of describing. Done well they always hedge. But human interests impose themselves inexorably here precisely because attempts at impartiality – at objectively describing – are especially prone to self-deception. We don't need second opinions as to our subjectivity. But there is conviction in numbers. Collective self-deception is the most lethal form, because it is magnified. Why *exactly* should two heads *ever* be better than one *at objectivity?* Why should the universe give a damn whether any, or many, of us get it right? We, the non-dead, do. This is the great epistemic red-flag. We never *don't* have skin in the game.

This *should* be obvious… on the grand assumption there are any "shoulds." But this is why we say we are "trying'" and suggest you keep salt handy. If we accomplish anything, it might be to challenge you, the reader, to do better at explaining the obvious pattern... A suggestion, a pastime.

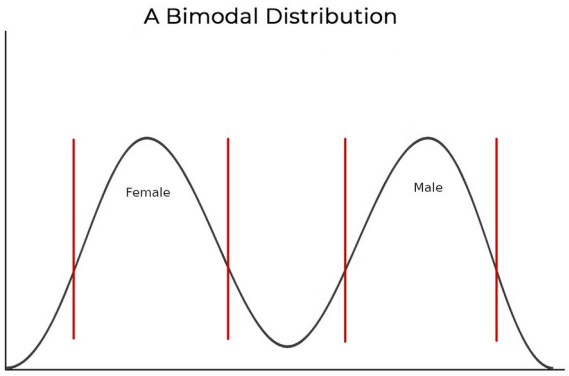
Appendix 2

On sex/gender, male/female, and masculine/feminine dichotomies/binaries

It shouldn't, but, perhaps, *is* needful to say, that we are using the terms "women and men," "female and male," "boy and girl," etc. to indicate something like Platonic forms, principles, or abstractions.[33] Or, rather, that the *biological* use of those terms is, and likely always has been, we contend, conceptualized as Platonic. This means they are ideal terms used to *model* raw phenomenal experiences. Roughly as metaphors and analogies do. They do not *merely* represent or, if they represent at all, they *model*. As such, they are more like sculptures and less like paintings; their multi-dimensionality lends them a hardiness difficult to molest. "Men" and "women" in either Platonic or normatively quotidian senses do not exist in the world at the edge of our senses. Thus, we do *not* assume there is *even one* pure instance of a male or female, a man or a woman, etc. in existence to whom we can attribute unalloyed characteristics. In plain English, whatever meaning these terms have applies *in some degree* to every individual. Degrees are all there is – and is all we need as long we are not pushing a more local normative agenda.

33. Otto Weininger, in his 1903 book *Sex and Character*, explicitly commented on these sexually-inflected universal principles. Up until then, they were implicit or historically covert. Since then, it seems they have reverted to the same status.

As we use the terms, there is a continuum with, at one end, an *asymptotically* pure case of maleness, instantiating all that is male and nothing else, and a corresponding pure instance of femaleness, equally *asymptotically,* at the other end. The binaries are abstractions used as *limiting* cases, to set the boundaries of our discourse. All *actual existing* sexed individuals fall between these extremes. And the distribution along the spectrum is bimodal. *Most* females and males tend to fall in their respective ranges within which there is ample room for nuance.



What characteristics are we referring to? *All* those connected with sex, including sexual *morphology*, sexual *identity*, sexual *orientation* and sexual *presentation*. More specifically, the location, form, and function of reproductive organs; psychological constructions of self; objects of attraction; and preferred guises of social presentation and performance. These parameters are *independent* of each other so that, for example, a primary masculine feature such as external genitalia does *not* dictate a preferred social presentation or sexual orientation or particular self-identification. Though, obviously, these parameters co-occur often enough to *suggest* regularities. (Yes, you cannot make a horse drink when led to water, but *most* horses do, as Gertrude Stein once reminded us.) At the asymptotes, instances veer toward zero, and at the midpoint of the continuum – the realm of androgyny, hermaphroditism, intersex, sexual hybridity... non-dioeciousness, in general etc. – instances are reduced, but never to zero. *That* things are this way may have causal a explanation. It might be useful to our survival and flourishing *to experience the world simultaneously in this binary way* – as, for instance, having *two* eyes contributes to depth perception offering a slight edge conducive to survival, so having two standpoints from which perceptions on the world, slightly but significantly out of sync with each other, may causally explain our thus far success. But this is *categorically* (in the Kantian sense) neither good nor bad: it just is.

Gender, by contrast, is a *social* construction supervening on the *biologically* conditioned parameters above. It is a cultural gloss on nature – as, indeed, moral theories, themselves, are. Gender is normative. It expresses an agenda.

It is important to emphasize again: nothing follows concerning the positive or negative *moral* valence or mutability of *either* sex *or* gender characteristics. Neither is deserving of more or less normative consideration than the other, simply in virtue of what it is. And, contrary to some assumptions, *neither* nature *nor* nurture is immune from mutability. Biology confers no permanence or desirability to any of its constraints. Nor are social constructions privileged to become arbitrary, simply in virtue of being relatively diverse, ephemeral, and malleable. It *may have been* the case that nature was deterministic and culture potentially liberating. But biology may be *easier* to change and culture *harder* to change than either side of the nature/nurture debate would have it; if not always in the past, certainly so in the future. *Both* the biological *and* social sciences are working hard to insure this. But, again, this is speculative description, nothing normative follows.

At the level of a descriptive metatheory of ethics, “all is permitted,” literally… Just sayin’.

These are the background assumptions of the discussion above. At the level of first-order normative ethics, often concerned with perseverance and flourishing of individuals and/or species, certainly *not* all is permitted. *Moral theories* are in the business of telling us this is ok and that is not. But other than remarking their existence and form and their curious dependence on the fact that we are dioecious, we have no special agenda, not even that of recommending perseverance and flourishing. The theories themselves do that.

Appendix 3

The sensible knave: observe the rule but take advantage of all the exceptions

Near the end of *An Enquiry Concerning the Principals of Morals* (1751), David Hume considers the nightmare for moral sense ethics:

> ...a sensible knave, in particular incidents, may think, that an act of iniquity or infidelity will make a considerable addition to his fortune, without causing any considerable breach in the social union and confederacy. *That honesty is the best policy, may be a good general rule; but is liable to many exceptions: And he, it may, perhaps, be thought, conducts himself with most wisdom, who observes the general rule, and takes advantage of all the exceptions.* [emphasis added]
>
> I must confess, that, if a man think, that this reasoning much requires an answer, it will be a little difficult to find any, which will to him appear satisfactory and convincing. If his heart rebel not against such pernicious maxims, if he feel no reluctance to the thoughts of villainy or baseness, he has indeed lost a considerable motive to virtue; and we may expect, that his practice will be answerable to his speculation. [Sect. 9]

Everybody agrees you should be nice to people when someone is looking or could do something about it if you did otherwise. In a normal person, this attitude would leak over into other situations as well: when others aren’t looking or can’t do anything about it. In those with a measure of *natural empathy*, consideration for the well-being of others would extend beyond the possibility of reward or recognition or avoiding censure or any self-serving interest. It may just be second nature for them to show consideration. It might not ever occur to them to be otherwise. Are such normal, decent people with average measures of fellow-feeling being rational?

Is someone who is slapped on one cheek being rational to turn the other? Admirable, perhaps, but *rational?*

It depends. It depends on what it is one intends to be doing. Is killing someone in self-defense rational? (It may be instinctive, but the question is: *is it rational?*) It is if it is rational to look out for one’s own well-being even at the expense of another’s. Is it *always* rational to look out for one’s own well-being even at the expense of another’s? What about someone who took this maxim seriously as a life practice? Could we say they are rational?

I am afraid we would have to say so.

That's what a "sensible knave" does—with a vengeance. From his (and it more often than not is a "his") point of view, you, of course, should always show consideration for others but never in violation of the principle that there is something in it that is worth the effort *for you*. And if there is ever a way in which *not* showing consideration for others can be more conducive to your well-being than showing it, it is irrational to let qualms about the effect on others slow you down in adhering to your consummately rational principle which is self-interest:

Do not let human sympathy (or concern with abstract ideals invented to back up those feelings) muck up success at the single-minded pursuit of your self-interest.

Hume himself responded that such persons miss out on the deeper satisfactions of being dear to others, of feeling a part of something larger than the narrow self that is bounded by the pleasures of a single body and mind, etc. Hume was an optimistic fellow.

People still repeat Hume's response. But was Hume right? Again, it depends. It depends on whether the knave really is missing out on something of great value. Is he? Doesn't it require a certain a kind of person to be good at sensible knavery? By definition, you would not make good knave material in the first place if you really had the wherewithal to enjoy identification with others. But supposing you don't come so equipped, what then?

Suppose you are born without or never develop an ounce of regard for anyone else, but very early on you learn there are nasty consequences for you if you are out of the closet about this deficiency. You also happen to be very capable, talented, even brilliant. You know how to read people. You know what they expect of you. You know you will be rewarded for giving them what they want. You know how to navigate your way among them *to your best advantage*. You are very rational or "sensible," as Hume put it.

You will adhere to all the niceties that make you likable... so long – and *only* so long – as you get the most out of it. Because of your alertness to your self-interest and because of your abilities, you are likely to do very well compared to others. But whenever there is a chance to do even better by manipulating or exploiting others directly or through institutions, you will not miss the opportunity. Indeed, you, with your sharp eye for the vulnerabilities of others, will be expert at ferreting out such exploits.

You do not fear being revealed or caught because, first, it's not likely to happen. You are too smart for that. Remember you are *sensible* (extremely savvy), not merely knavish. The merely knavish are easy to spot. And, second, even in the event of the unlikely, everywhere there lie opportunities for exploitation. Unlike most, you have a plan B, a plan C, and can improvise as needed with consummate grace and assurance and with utter lack of qualm or remorse—but with a knack for aping remorse should that come in handy... Plus, you will have resources, since amassing those was most certainly part of your plan in aspiring to *effective knavery*. Being "caught" may even have entertainment value for you. Success can be boring sometimes. Those who "catch" you will be privileged to be your next victims.

As I said, you will do very well in a world of the *merely* sensible or the *merely* knavish. Today, we

would call Hume's sensible knave a psychopath.

Is the sensible knave or psychopath really missing out on some fulfilling experience they might otherwise enjoy were it not for their knavery? Wouldn't you have to be a different sort of person from the start to appreciate the loss—whatever this missed thing is?

The knave is not insane. He just doesn't have a taste for any interest not his own. Never had it.

Knave spotting

So, assuming you aren't one (if you are, you must be smiling), how do you – a merely decent person, someone crippled with a typical dose of concern for the suffering of others, someone hobbled with a conscience, for whom, the thought of knowingly taking advantage of others with no thought for their well-being, would be abhorrent – how can you protect yourself from the sensible knave?

Do you know any knaves? Would you know one if you saw one? The knave relies on the popular view that "people are basically good." He would be happy for you to believe that. He will use this very fact for cover. Even as his victim, you will be left doubting your victim-hood because the knave has control of how the situation is viewed by others. Responsibility will be imputed to you. Remember, there is no such thing as a weak, stupid, or resourceless *sensible* knave. That would be contradictory.

You probably won't know a sensible knave when you see one. Even as their victim you may not know them. Unless you are strong enough to consider the possibility, perceptive enough to see through their sensibleness, yet caring enough not to be one yourself.

the philosophy club

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Accessible at [Archive.org](#)

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